

PROB 12B
(7/93)

Report Date: November 23, 2010

United States District Court

for the

Eastern District of Washington

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender**

(Probation Form 49, Waiver of Hearing Is Attached)

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

NOV 30 2010

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Richard Lynn Swihart

Case Number: 2:04CR02159-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Sr. U.S. District Judge

Date of Original Sentence: 9/6/2005

Type of Supervision: Supervised Release

Original Offense: Possession of a Firearm by
Prohibited Person, 18 U.S.C. § 922(g)(1)

Date Supervision Commences: 12/14/2011

Original Sentence: Prison - 99 Months; TSR - 36
Months

Date Supervision Expires: 12/13/2014

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 18 You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.
- 19 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 20 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

CAUSE

The defendant was sentenced in 2005 and the condition regarding substance abuse testing was not specific as to the number of tests that could be performed during a month in order to confirm the defendant's continued abstinence. Therefore, the above conditions are requested.

Prob 12B

Re: Swihart, Richard Lynn

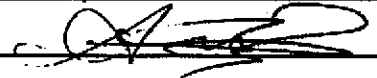
November 23, 2010

Page 2

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

23 Nov. 10



U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☐ The Extension of Supervision as Noted Above
☒ The Modification of Conditions as Noted Above
☐ Other



Signature of Judicial Officer

NOV 30 2010

Date